

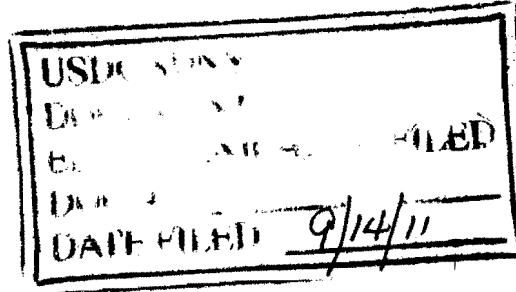
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September 14, 2011

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Honorable Theodore H. Katz  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
Room 17D  
New York, NY 10007-1312



**Re: Gersten v. Deloitte & Touche LLP et al - 1:11-cv-02461 (RMB)**  
**James v. Deloitte & Touche LLP - 1:11-cv-4454 (RMB)**

Dear Judge Katz:

I am writing on behalf of counsel for Plaintiffs and Defendants. Counsel have not yet resolved all differences or concluded document production for a production of witnesses, which are the subjects of disputes raised before Your Honor. However, we have made excellent progress in resolving those disputes that identify areas where the parties may need the assistance of the Court, and in narrowing the disputes which continue to exist. We request the opportunity to make a more formal status report with greater detail a week from today.

Respectfully,

Max Folkenflik

MF/vm

cc: Peter A. Walker, Esq. (*via e-mail*)  
Christopher Lowe, Esq. (*via e-mail*)  
H. Tim Hoffman, Esq. (*via e-mail*)  
Justin M. Swartz, Esq. (*via e-mail*)  
Ossai Miazad, Esq. (*via e-mail*)

**SO ORDERED**

THEODORE H. KATZ

UNITED STATES MAGISTRATE JUDGE